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#4/IDS

DOCKET NO: P00547.70076.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory Altshuler et al.  
Serial No: 10/080,652  
Confirmation No: 8139  
Filed: February 22, 2002  
For: APPARATUS AND METHOD FOR PHOTOCOSMETIC  
AND PHOTODERMATOLOGICAL TREATMENT

Examiner: Not yet assigned  
Art Unit: 3739

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 07 day of January 2003.

Colleen Sullivan  
Signature

Commissioner for Patents  
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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The Applicant hereby makes the following additional information of record in the above-identified application. The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
09/268,433	March 12, 1999	G. Altshuler
09/277,307	March 26, 1999	R. Anderson et al.
09/473,910	December 28, 1999	G. Altshuler et al.
09/634,981	August 9, 2000	G. Altshuler et al.
09/769,960	January 25, 2001	R. Anderson et al.
09/847,043	April 30, 2001	H. Zenzie
10/033,302	December 27, 2001	R. Anderson et al.
10/052,474	January 18, 2002	G. Altshuler et al.
10/154,756	May 23, 2002	P. Dautriche et al.
10/245,825	September 17, 2002	G. Altshuler et al.
10/274,582	October 21, 2002	G. Altshuler et al.

The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

AT 400 305 B generally relates to a device for treatment of skin zones.

DE 3837248 A1 generally relates to a device for the treatment of skin changes.

EP 1038505 A2 generally relates to a radiation apparatus for optical thermolysis.

FR 2591902 generally relates to an apparatus for external laser therapy.

RU4954402 (Pub. No. 2122848) generally relates to a reflexotherapy device. An English Abstract is enclosed.

RU94012665 (Pub. No. 2089126) generally relates to a method of treatment of tooth hard tissues by laser radiation and device for its realization. An English Abstract is enclosed.

RU94040344 (Pub. No. 2089127) generally relates to a method of treatment of tooth hard tissues by laser radiation and device for its realization. An English Abstract is enclosed.

RU95102749 (Pub. No. 2096051) generally relates to an apparatus for laser treatment of biological tissues. An English Abstract is enclosed.

RU95105406 (Pub. No. 2082337) generally relates to a tip piece of laser system for treating biological tissue. An English Abstract is enclosed.

WO 96/25979 generally relates to devices for use in the laser treatment of biological tissue and variants thereof. An English Abstract is enclosed.

WO 01/42671 A1 generally relates to a guide rail for a linear bearing. An English Abstract is enclosed.

#### PART IV: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

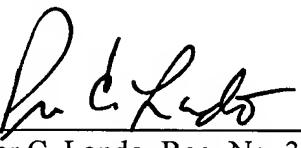
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Gregory Altshuler et al., Applicant*

By: 

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Docket No. P00547.70076.US

Date: January 7, 2003

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The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 10 day of January 2003.

Colleen F. Sullivan  
Signature

Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

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Respectfully submitted,  
Gregory Altshuler et al., Applicant

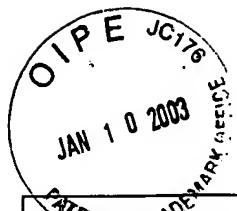
By: Peter C. Lando

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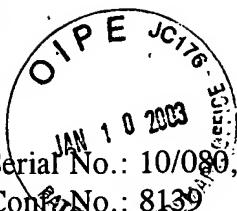


<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/080,652	ATTY. DOCKET NO.: P00547.70076.US
				FILING DATE: February 22, 2002	CONFIRMATION NO.: 8139
				APPLICANT: Gregory B. Altshuler et al.	
				GROUP ART UNIT: 3739	EXAMINER: Not yet assigned
Sheet	1	of	7		

#### U.S. PATENT DOCUMENTS

Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYY
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	2	3,327,712		Kaufman et al.	06-27-1967
	3	3,527,932		Thomas	09-08-1970
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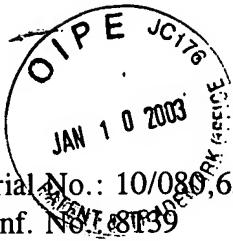
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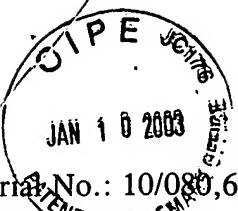


Serial No.: 10/080,652  
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Art Unit: 3739

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Examiner's Initials#	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
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	119	DE	3837248	A1	Teichmann	05-03-1990	N
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	148	WO	96/23447	A1	General Hospital Corporation	08-08-1996	
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211	Abstracts, various		
212	Invention description to certificate of authorship, No. 532304, "The way of investigation of radiation time structure of optical quantum generator"		
213	Invention description to certificate of authorship, No. 719439, "The ring resonator of optical quantum generator"		
214	Invention description to certificate of authorship; No. 741747, "The modulator of optical radiation intensity"		
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Mailed XX/XX/XX **01/07/03**

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Page 5 of 7

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OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	169	G.B. Altshuler et al., "Acoustic response of hard dental tissues to pulsed laser action," SPIE, Vol. 2080, Dental Application of Lasers, pp. 97-103, 1993	
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	171	R.L. Amy & R. Storb, "Selective mitochondrial damage by a ruby laser microbeam: An electron microscopic study," Science, Vol. 15, pp. 756-758, November 1965	
	172	R.R. Anderson et al., "The optics of human skin," Journal of Investigative Dermatology, Vol. 77, No. 1, pp. 13-19, 1981	
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	178	L. Goldman, "Dermatologic manifestations of laser radiation," Proceedings of the First Annual Conference on Biologic Effects of Laser Radiation, Federation of American Societies for Experimental Biology, Supp. No. 14, pp. S-92-S-93, Jan-Feb 1965	
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